

## CBW Consideration In CCD

### A. Two Approaches

1. A number of countries, including the United Kingdom and United States, consider that no barriers exist to a complete ban on biological warfare and they urge immediate negotiation of a treaty along the lines of the UK draft Convention prohibiting biological methods of warfare. Chemical weapon controls, however, present separate and more serious problems which will take longer to solve. In the view of these countries, such problems should be studied while at the same time negotiations proceed on the BW Convention.

There has been expressed in the CCD no real opposition to the UK Convention per se, and several delegations have commented favorably on its language and mechanisms. A number of countries are concerned, however, that by agreeing to ban only BW the opportunity will be lost to ban CW, which they view as a more serious issue.

2. The USSR, the other communist countries, and most of the nonaligned countries argue that C & B weapons should be dealt with in the same agreement. The Soviets have put forward a draft convention which would ban the development, production, and stockpiling of both C & B weapons. Most of the CCD members, including many nonaligned countries consider, however, that the Soviet draft has serious weaknesses, most significantly, the failure to provide satisfactory verification provisions. The Polish delegation, in company with two others, proposed in the recent spring CCD session an amendment to the USSR convention providing for a complaint mechanism and for Security Council investigation of such complaints. This amendment, however, has not satisfied the concern of other countries regarding the need for reliable verification procedures.

B. Criticisms of Soviet Draft - The following criticisms have been made by many CCD members of the Soviet Draft Convention:

1. The Polish verification amendment does not constitute a satisfactory system for verifying a ban on modern chemical weapons. It is not adequate to suggest that there would be a complaint mechanism when there may be no dependable means of knowing whether and when the facts exist for invoking the mechanism.

2. The Soviet Draft is imprecise as to what is to be banned. It is not adequate to prohibit the development, production, and stockpiling of "chemical weapons" without defining these terms. The weaknesses of any agreement in this field which does not clearly define specifically what activities are being prohibited is exemplified in the problem of the relationship between industrial chemicals and chemical weapons.

3. The Soviet Draft bans production, development, and stockpiling of C & B weapons and thus leaves open the question whether C & B agents (i.e., materials not in weapon form) could be produced and stockpiled.

4. The Soviet Draft does not cover the use of C & B weapons thus raising the question whether the right to retaliate with C & B weapons would be preserved under the convention. The UK Convention, on the other hand, would prohibit all use of BW.

5. The draft gives no guidelines on the time period for the destruction of weapons stockpiles.

6. The draft offers no concrete remedies to a party which has been attacked with C & B weapons. The consultation provision is inadequate in this regard.

C. U.S. Position

The US has on several occasions stated its commitment to achieving effective controls on chemical as well as biological weapons. The problem of effectively

verifying a ban on CW, however, requires additional study, and the US has said it is willing to make available experts and appropriate research findings if the CCD should decide to undertake an intensive study of the question. The US believes that an agreement to ban BW while at the same time the CCD studies the problem of CW verification, which is difficult though not necessarily insoluble, would be a logical and practical way to proceed.

The reasons for which the United States considers an effective CW verification provision to be necessary under a comprehensive ban on chemical weapons are as follows:

1. Unlike the situation with regard to BW, chemical weapons are primarily battlefield weapons which have obvious utility in certain military situations. Chemical weapons are more predictable and controllable than BW and can produce immediate effects. Moreover, chemicals have already been used in warfare. The inability of an attacked nation to retaliate with chemicals could give a significant military advantage to any government which might decide to violate the prohibition on the use of CW. Given that situation, there is reluctance based on sound military considerations to eliminate CW capabilities without firm assurance and safeguards that other states are doing likewise.

2. At present chemical weapons, unlike biological weapons, are either being developed or stockpiled by a number of countries. In this situation, some states believe that a CW capability is important for their national security. States maintain chemical warfare programs and stockpiles to deter others from using these weapons and to provide a retaliatory capability if deterrence fails.